

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

BRIMHALL LQ LLC D/B/A  
LA QUINTA INN & SUITES  
*Plaintiff,*

v.

THE CINCINNATI INSURANCE COMPANY,  
PAUL R. WHITE & COMPANY, INC. and  
SEAN PAPPAS  
*Defendants*

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Civil Action No: 5:16-cv-1290-FB

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**AGREED MOTION TO DISMISS WITH PREJUDICE**

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TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW, Plaintiff, BRIMHALL LQ LLC D/B/A LA QUINTA INN & SUITES (“Plaintiff”), and THE CINCINNATI INSURANCE COMPANY, PAUL R. WHITE and SEAN PAPPAS (“Defendants”), and file this their Agreed Motion to Dismiss with Prejudice in the above-styled and numbered cause of action, and respectfully show the Court as follows:

**I.**

This case has not proceeded to trial and the parties have not introduced any evidence at trial.

**II.**

Plaintiff and Defendants have entered a settlement agreement for the purpose of settling and compromising any and all disputes and controversies that exist between them. Accordingly, Plaintiff and Defendants desire to dismiss the above-styled and numbered cause of action, with prejudice to re-filing same, with costs to be borne by the party incurring same.

WHEREFORE, PREMISES CONSIDERED, Plaintiff and Defendants respectfully request this Court to grant their Agreed Motion to Dismiss with Prejudice, and enter a Judgment of dismissal in the above-styled and numbered cause of action.

Respectfully submitted,

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